

04722 U.S. PTO
10/23/03

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	1103326-0203 CON
First Inventor	Per Johan Lundberg
Title	NEW PHARMACEUTICAL FORMULATION AND PROCESS
Express Mail Label No.	EV287913106US

22278 U.S. PTO
10/693317

102303

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 33]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Sheets 3]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/235,392

Prior application information:

Examiner Humera N. Sheikh

Art Unit: 1615

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 007470 OR ☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Andrew Fessak	Registration No. (Attorney/Agent)	48,528
Signature	<i>Andrew Fessak</i>	Date	October 23, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

"Express Mail" Label No. EV287913106US

Date of Deposit October 23, 2003 .

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Patent Application; Commissioner for Patents,

P.O. Box 1450, Alexandria, VA. 22313-1450

BERNARD MAYS

(Type or print name of person mailing paper or fee)

Bernard Mays

(Signature of person mailing paper or fee)

RE: Title: NEW PHARMACEUTICAL FORMULATION AND PROCESS;
Inventors: Per Johan Lundberg and Kurt Lövgren; This application is a continuation of application serial no. 10/235,392, filed September 4, 2002, pending, which is a continuation of 10/023,968, filed December 18, 2001, abandoned, which is a continuation of 09/413,521, filed March 19, 2001, abandoned, which is a continued of prosecution application ("CPA") of 09/413,521, filed October 6, 1999, abandoned, which is a continuation of 08/612,951, filed March 8, 1996, now U.S. Patent No. 6,013,281, which is a 371 of PCT/SE96/00161, filed February 9, 1996, which claimed priority to Swedish 9500478-4, filed February 9, 1995; Our Ref: 1103326-0203 CON.

The following are enclosed:

- PTO/SB/05 – Utility Patent Application Transmittal;
- Patent application containing:
 - Specification: 27 pages;
 - Claims: 4 pages;
 - Abstract: 1 page;
 - Drawings: 2 pages;
- Copy of the executed Declaration/Power of Attorney as filed in prior 08/612,951;
- Preliminary Amendment;
- Information Disclosure Statement and PTO-1449, without of cited references;
- Return postcard.

and

**NOTE: THE FILING FEE IS NOT ENCLOSED NOR IS AUTHORIZATION
GIVEN TO CHARGE A DEPOSIT ACCOUNT.**

Respectfully submitted,


Andrew Fessak

Reg. No. 48,528

Agent for Applicants

Telephone: 212-819-8437

Customer No. 007470

(212) 819-8200